

Governing Buddhism in Vietnam

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13.1 INTRODUCTION

This chapter explores the Vietnamese state's constitutional framework for governing Buddhism. The framework includes: (1) principles in the big-C Constitution (the formal, written Constitution of 2013); (2) small-c constitutional rules, including broader legislation enacted to implement the formal Constitution, particularly the 2016 Law on Religions and Belief; and (3) the Buddhist constitution, a body of governing law of the Buddhist community, particularly the Charter of the Buddhist Sangha of Vietnam (on the religious constitutions, see Schonthal 2021; on small-c constitutions, see Chilton & Versteeg 2021). This chapter argues that the constitutional framework for Vietnamese Buddhism is both facilitative and regulatory. On the one hand, the constitutional framework facilitates the development of Buddhism due to its historical role, the state's reformist commitment, and the state's universalist outlook toward religions. On the other hand, the same constitutional framework places Buddhism under state control, so as to prevent Buddhist opposition to the socialist regime and to rally the support of Buddhist followers for state-building.

Some historical context is helpful before we begin the analysis. Buddhism is the second-largest organized religion in Vietnam (after Catholicism) with 4,606,543 followers according to the government's official 2019 report (General Statistics Office of Vietnam 2019). Historians debate whether Buddhism came to Vietnam in the third or second century BCE from India, or in the first to second century from China, but in any case, it is well established with deep roots (Taylor 2018). In the Ly dynasty (1009–1225) and Tran dynasty (1225–1400), Buddhism was a state religion and played an important institutional and legal role, including legitimizing royal authority (Anh 2002). The Le dynasty in the fifteenth century endorsed Confucianism as the official ideology, but Buddhism, Confucianism, and Daoism coexisted within the framework of the harmony of three religions. In the period of the French colonial rule, the influence of Buddhism declined due to the spread of

Christianity. During the Vietnam war from 1945 to 1975, Vietnam was divided into North and South: Ngo Dinh Diem, President of the Republic of Vietnam in the South, was a Catholic and launched an anti-Buddhist policy, which triggered protests by Buddhists against the government (Roberts 1965). After national unification, the socialist state supported the unification of Buddhist organizations under a body called the Buddhist Sangha of Vietnam (BSV, Vietnamese: *Giáo hội Phật giáo Việt Nam*) (Trần Thị Hằng 2020). Another Buddhist organization called the Unified Buddhist Sangha of Vietnam (UBSV, Vietnamese: *Giáo hội Phật giáo Việt Nam Thống nhất*) rejected joining the BSV, was banned by the state, and operates in exile (for an overview of the history of Buddhism in Vietnam, see Soucy 2017).

This chapter is organized as follows. The first part from Section 13.2 explores the constitutional framework for Vietnamese Buddhism, Section 13.3 explains the facilitative and regulatory elements of the constitutional framework, and finally, Section 13.4 offers a conclusion.

13.2 THE GOVERNING FRAMEWORK

13.2.1 *The Big-C Constitution*

The 2013 Constitution does not mention Buddhism. However, it includes the principles of the Communist Party of Vietnam and the Vietnamese Fatherland Front, of representative institutions, and of religious freedom, all of which are relevant to the framework for the state's governance of religions in general and Buddhism in particular.

First, the Constitution provides for the leadership of the Communist Party of Vietnam over “the state and society” (Article 4). Society includes Buddhism, which means – at least in theory – that the religion is under the Party's leadership. In fact, responding to the increase in complaints and disputes involving religious facilities, and protests carried out by religious believers, among others, in 2003 the Party issued a resolution which laid down political directives to guide the state's management of religious affairs. This included creating the conditions for religions operating within the law (such as the commitment to religious freedom), promoting patriotism among religious followers, and preventing the use of religions to oppose the state and the socialist regime (Resolution on Religious Affairs 2003). These political directives deal with religions in general and are thus applicable to Buddhism, along with other faiths. Buddhist groups as well as other religious groups are required to operate within the Party policy regarding religious affairs. In relation to religious policies, the Constitution confirms Marxism–Leninism as the Party's official ideology (Article 4). As the Party plays the leading role in society, its ideology prevails thanks to the Party's propaganda and indoctrination. Following this framework, Marxism–Leninism is secular, while Buddhism is sacred, and this generates an ideological tension between the Party and Buddhism. To deal with the tension, the Party tolerates Buddhism but

also seeks to ensure that the religion will serve the Party's political goal to build socialism in Vietnam. As a response, the quasi-official BSV aligns with Marxist ideology, as evident in its motto "Dharma, Nation, and Socialism."

The second constitutional principle of note concerns the Fatherland Front. The Constitution provides that "The Vietnamese Fatherland Front is a political alliance and a voluntary union of the political organization, socio-political and social organizations, and prominent individuals representing their class, social strata, ethnicity or religion, and overseas Vietnamese" (Article 9). As the Fatherland Front is an ally of the Party, the BSV, as a member of the Front, is presumed to support the Party and submit to the Party's control. In addition, like other member organizations, the BSV must perform the constitutional duties and functions of the Fatherland Front, including promoting national unity and social consensus, supervising state activities, and participating in state institutions (Article 9).

The third constitutional principle affecting Buddhism relates to the place of religion in representative institutions. Article 22 of the Constitution provides for the right to stand for election to the National Assembly. Article 69 of the Constitution defines the National Assembly as "the highest representative body of the People." Thus, even in the context of a one-party state, Buddhists are represented in the legislature. To illustrate this, after the last election in June 2021, five Buddhist leaders (compared with one Catholic leader) were elected to the National Assembly (Thanh Trà 2021). Although the national elections are under the Party control through the Fatherland Front's multiple rounds of nominations, the National Assembly represents different sections of the society, including religion. As Buddhism is a major religion, with the BSV allied with the party and the state, the representation of Buddhists in the National Assembly is understandable. The inclusion of Buddhist leaders in the legislature may help to ensure the support of Buddhist organizations for the state and law.

A fourth constitutional principle to note is that of religious freedom. The Constitution stipulates that:

1. Everyone has the right to freedom of belief and religion, and has the right to follow any religion or to follow no religion. All religions are equal before law.
2. The State shall respect and protect the freedom of belief and religion.
3. No one may violate the freedom of belief and religion, nor may anyone take advantage of a belief or religion in order to violate the law. (Article 24)

Under these provisions, Vietnamese citizens are free to adhere to Buddhism as well as any other religions. There is no state religion in Vietnam: although Buddhists are practically an ally of the party and the state, the Constitution does not provide for any state support for Buddhism or any other religion. This is due to the constitutional commitment to the equality of religions. The last clause in the religious freedom provisions, regarding the manipulation of religion for illegal purposes, justifies state's regulation of religious activities, including the practice of Buddhism.

Buddhist groups played no role in shaping the constitutional framework governing its activities. However, Buddhist monks sometime engage in public constitutional debate in defence of religious autonomy, as well as for other issues. For example, when the state released a draft constitution for public debate in 2013, a Buddhist monk called for the constitutional recognition of religious organizations as legal entities so that they could enjoy more autonomy (Tá Lâm 2013). More recently, in April 2021, the BSV submitted a petition to the relevant authorities opposing a draft regulation by the Ministry of Finance which provides that the state will manage the “merit money,” meaning funds donated to religious institutions. As reported by mass media, the BSV argued that the term “merit money” was not clearly defined, and in practice the term is mainly used to refer to money donated to Buddhist institutions rather than to those of other religions. The BSV also invoked Article 53 of the 2013 Constitution to affirm that “merit money” does not belong to public property managed by the state (Thiên Điều 2021). In this case, Buddhists employed constitutional argumentation to strengthen their demand for financial autonomy, as a response to the state’s attempt to place Buddhism under greater control.

13.2.2 *The Small-c Constitution*

The small-c constitution refers to a body of legislative rules issued by the Vietnamese state to regulate religions and to implement relevant provisions in the big-C Constitution (Vu Hoang Cong 2016). In 2004, the National Assembly’s Standing Committee enacted the Ordinance on Belief and Religion. The Ordinance was recently replaced by the Law on Belief and Religion (hereinafter, the Law) enacted by the National Assembly in 2016 and implemented in 2018. The Law, however, retains the substantive contents of the Ordinance (Bui 2019).

The Ordinance and the Law do not specifically mention Buddhism but articulate a general legal framework for the state’s management of religion which is applicable to Buddhism. The Ordinance and the Law influence Buddhist activities in two modes: facilitative and regulatory. First, the Law recognizes religious freedom, and therefore facilitates the freedom of Buddhist practices (as well as other religious practices). This has enabled the development of Vietnamese Buddhism after national unification. The development is manifested in various aspects, such as: an increase in the number of Buddhist followers; numerous Buddhist festivals; the creation of four Buddhist academies for Buddhist teachings at Hanoi, Ho Chi Minh City, Hue, and Can Tho; the publication of numerous Buddhist texts (around 1,000 titles with around 6,000,000 copies published by the Religion Publishing House since 1999); the engagement of the BSV in international Buddhist activities; and the holding of the United Nations Vesak Cerebrations in Vietnam in 2008, 2014, and 2019 (Nguyen Thanh Xuan 2012, 77–84).

The religion Law is also an instrument for the state to regulate Buddhist activities. Regulation of religion refers to “the state’s intentional intervention into the religious

activities of the target believers and followers and their organizations and groups” (Bui 2019, 149). Using this definition, one can identify three regulatory aspects: setting binding standards (legal rules); state monitoring to ensure the implementation of these rules (monitoring); and using coercive sanctions (sanctioning) to guarantee compliance (Bui 2019, 149). Below I will illustrate the application of this general regulatory framework to Buddhism in Vietnam.

First, regarding setting standards, the government applies to Buddhist groups general legal rules prohibiting certain types of religious activities and religious organizations. The Law prevents religious organizations, including Buddhist organizations, from undermining national unification or conducting propagation campaigns in contravention of the state’s laws and policies. In addition, annual programs for Buddhist activities (among other religious activities) must be approved by local governments. Local authorities may suspend Buddhist activities if they believe that they endanger national security and public order. Moreover, Buddhism – as with all other religions in Vietnam – must be officially recognized by the state. The BSV, like other religious organizations, must be formally approved and registered with the state. The congresses of the BSV and the establishment and operation of Buddhist schools must also be approved by the authorities.

Second, there are different state institutions at both central and local levels responsible for monitoring the implementation of legal rules regarding religions in general, including Buddhism. At the central level, according to a decision taken by the prime minister in 2018, the Department of Buddhism in the Government Committee for Religious Affairs plays a role in governing Buddhism. There are also committees for religious affairs in local governments, which are responsible for managing religions, including Buddhism, at the local level.

Third, the Ordinance and the Law do not provide for formal sanctions of unapproved religious activities and organizations. However, authorities have employed informal mechanisms to deal with unapproved religious activities and organizations, including those involving Buddhists. For example, Thích Huyền Quang and Thích Quảng Độ, patriarchs of the Unified Buddhist Sangha of Vietnam, were placed under house arrest because of their opposition to the government (Johnson 2007).

13.2.3 *The Buddhist Constitution*

The Charter of the Buddhist Sangha of Vietnam (hereinafter, the Buddhist Charter) was first adopted by the Sangha in 1981 and has been amended six times, with the last amendment in 2017. The Buddhist Charter can be considered a kind of constitution for Buddhism in Vietnam. It lays down fundamental principles for the Buddhist community, the structural institutions of the Sangha, the distribution of the authority and duties among Buddhist leaders, and amendment rules. Beyond being a religious document, the Buddhist Charter operates as an instrument for the

state to manage Buddhism. In this regard, its formal structure and substantive contents share several features of the state's Constitution.

13.2.3.1 Formal Structure

The Buddhist Charter's formal structure is similar to those of the state's Constitution. It includes a preamble and thirteen chapters divided into seventy-one articles. It includes the titles below:

Chapter I: Name, Badge, Flag, Song, Headquarter

Chapter II: Aims, Components

Chapter III: Principles of Operation and System of Organization

Chapter IV: Patriarch Council

Chapter V: Executive Council

Chapter VI: The Buddhist Sangha of Vietnam at Provinces and Cities

Chapter VII: The Buddhist Sangha of Vietnam at County, District, Town,
and Provincial City

Chapter VIII: Congress, Conference

Chapter IX: Clergy

Chapter X: Monastery and Members

Chapter XI: Finance, Property

Chapter XII: Praise of Merit and Discipline

Chapter XIII: The Validity of The Charter and Amendments to The
Charter

13.2.3.2 Expression

Like the state's Constitution, the Buddhist Charter has an expressive function. Descriptively, the Buddhist Charter's preamble provides a narrative of the history of Vietnamese Buddhism and the birth of the Buddhist Sangha of Vietnam:

In more than two thousand years of presence in Vietnam, accompanying the nation, Buddhism has become the religion of the nation. Throughout the history of nation building and nation defence, in the cause of national liberation, national unity, as well as building and protecting the Socialist Fatherland of Vietnam today, Vietnamese Buddhism has always been a reliable and strong member of the national unity bloc ... Since 1975, the Fatherland has been united, the whole country unites for the goals of "prosperous people, strong country, democratic, equitable, and civilised society," Vietnamese Buddhism fully has the opportunity to fulfil the aspiration to fully unify church organizations, associational organizations, and Buddhist denominations, and to establish the Buddhist Sangha of Vietnam on November 7, 1981. (Charter of The Buddhist Sangha of Vietnam, Preamble)

The Buddhist Charter describes Buddhism as an ally of Vietnam generally and of the socialist state in particular. In describing modern Vietnamese history, the Buddhist Charter's preamble uses similar language of the state Constitution's preamble, such as "to liberate the nation, reunify the country, defend the Fatherland" (The Constitution of The Socialist Republic of Vietnam 2013, preamble). The Buddhist Charter's preamble also aligns the creation of the BSV with the Vietnamese socialist state's goals ("a prosperous people and a strong, democratic, equitable and civilised country") which are confirmed in the state Constitution's preamble (The Constitution of The Socialist Republic of Vietnam 2013, preamble). The parallel between the preambles of the Buddhist Charter and the state Constitution aims to establish a constructive relationship between Vietnamese Buddhism, the BSV, and the Vietnamese socialist state.

Prescriptively, the Buddhist Charter expresses the aspirations and commitments of the Buddhist community. Its preamble declares the motto "Dharma, Nation, and Socialism" (Charter of The Buddhist Sangha of Vietnam, preamble). The BSV's stated aims are to develop Buddhism and to contribute to building Vietnamese socialism, a commitment also confirmed in the preamble of the state's Constitution (The Constitution of The Socialist Republic of Vietnam 2013, preamble). In addition, Article 6 of the Buddhist Charter expresses the Buddhist, nationalist, and internationalist commitments: "The purpose of the Buddhist Sangha of Vietnam is to promote Buddhism, develop the Buddhist Sangha of Vietnam at home and abroad, participate in building and protecting the Fatherland, serve the nation, [and] contribute to building peace and peace for the world" (Charter of The Buddhist Sangha of Vietnam, Article 6). Particularly, beyond religious aspirations, the Charter commits the Buddhist community to contributing to nation building. The nationalist commitment aims to align Vietnamese Buddhism with the state's societal and institutional development.

13.2.4 *Buddhist Institutions*

Apart from the expressive function, the Buddhist Charter operates as a blueprint to structure and coordinate powers within Buddhist institutions and with regard to their relationship with state institutions. It stipulates the Leninist organizational principle of democratic centralism: "The Sangha leads according to the principle of democratic centralism, collective leadership, individual responsibility, majority decisions and unity of action" (Charter of The Buddhist Sangha of Vietnam, Article 10). Democratic centralism aims to combine democratic discussions and centralized actions, confirmed in the state's Constitution (The Constitution of The Socialist Republic of Vietnam 2013, Article 8). On the basis of democratic centralism, the Buddhist Charter creates a hierarchical Buddhist institutional system, relatively similar to the state's constitutional system.

At the central level, the BSV includes the Patriarch Council and the Executive Council (Charter of The Buddhist Sangha of Vietnam, Chapters IV and V). The institutional functions and relationship of these two bodies have some features in common with those of the National Assembly and government provided in the state's Constitution. The Patriarch Council, created with a five-year term by BSV's congress, is a collective decision-making body, while the Executive Council is an administrative institution. Some language of the state's Constitution is used to describe the functions of these Buddhist institutions. For example, the Charter provides that the Patriarch Council is "the supreme leading organ" of the BSV and its Standing Committee enjoys the power of "supreme supervision" over the activities of the Sangha and the Executive Council (Charter of The Buddhist Sangha of Vietnam, Articles 15 and 16). This echoes the state Constitution's description of the National Assembly as "the supreme organ of state power" which has the power of "supreme supervision" over the government and other state organs (The Constitution of The Socialist Republic of Vietnam 2013, Article 69).

Apart from the central institutions, the structural hierarchy of the Buddhist organizations includes provincial and communal sanghas. The local sanghas are comprised of the Patriarch committee and executive committee, modelled after the structure of the central Sangha. The communal sanghas work under the guidance of the provincial sanghas which in turn work under the guidance of the central Sangha (Charter of The Buddhist Sangha of Vietnam, Articles 31 and 38). Thus, the Buddhist Charter provides for a hierarchical relationship within Buddhist institutions, consistent with the broader principle of democratic centralism.

The local sanghas are structured in line with the state's local administrative system. Additional Buddhist sanghas can be created at the local levels subject to the approval of the local governments at the same levels (Charter of The Buddhist Sangha of Vietnam, Articles 29 and 37). The parallel administrative arrangement places Buddhist institutions at various levels under the management of the state institutions at the same levels. This allows state authority to closely monitor the activities of Buddhist institutions.

13.2.4.1 Buddhist Constitution and State Institutions

According to the Law on Belief and Religion, the Buddhist Charter is only implemented after it is approved by the state. The state's approval ostensibly ensures that the Buddhist Charter will serve the state's management of Buddhism. In addition, in consistence with the Law on Belief and Religion, various activities regarding implementation of the Charter (such as the elections of the Patriarch Council and Executive Council, and the holding of the BSV's congress) must be approved by state authorities. In this way, the state can keep Buddhism firmly under its control.

The Buddhist Charter also seeks to coordinate the relationship between the state and Buddhist institutions. For example, the Charter provides that BSV's Executive Council must be "responsible for coordinating with competent state agencies in dealing with organizations and individuals speaking out and disseminating information with distorted, inaccurate, and unorganized content related to Buddhism in general and to the organizations of the Vietnam Buddhist Sangha at all levels and to its members" (Charter of The Buddhist Sangha of Vietnam, Article 19). The Charter requires Buddhist institutions and members to cooperate with state institutions in the management of Buddhism. Moreover, the Charter stipulates that:

If members of the Buddhist Sangha of Vietnam have activities and acts that hurt the reputation, harmony, and interests of the Sangha or members of the Sanga, and harm the great unity of the whole nation, the peace, independence, and unity of the Fatherland, the Sangha shall deal with canon law [Vinaya], and depending on the extent of violations, the Sangha shall request the competent state agency to consider and handle it in accordance with the [state's] law. (Charter of The Buddhist Sangha of Vietnam, Article 64)

This provision enables the punishment of members of the BSV for their actions against not only the interests of the Buddhist community but also the interests of the state. The provision also allows the Sangha to request the state authority to apply legal remedies. The Sangha is, therefore, an ally of the state in its internal management of Buddhism.

13.3 FACTORS OF GOVERNING BUDDHISM

The state constitutional framework has facilitated the development of Buddhism in Vietnam, shaped by factors internal and external to the Vietnamese context. The internal factors include the historical role and nature of Vietnamese Buddhism and the state's reformist commitment. As Buddhism has a long tradition in Vietnam and deep roots in the Vietnamese culture, the constitutional framework needs to accommodate its continuing development.

In addition, during the Vietnam war, Buddhist monks played an important role in opposing the Diem government and advocating for peace. As Topmiller states: "Some Buddhists perceived the deep distress in South Vietnamese society over the war and responded with calls for peace. Sensing significant war-weariness after a quarter-century of conflict, Thich Nhat Hanh introduced a resolution calling for an end to the fighting during a conference of monks early in 1964" (2002, 7). The fact that Buddhist monks resisted the South government to struggle for peace would make the socialist state less hostile to Buddhism after national unification.

Another internal factor involves the socialist party-state's reformist commitments. The reform program known as *Doi moi* (Renovation) introduced by the Communist Party of Vietnam in 1986 has resulted in the implementation of several liberal

policies, which include policies that not only support economic liberalization but also those which facilitate religious freedom. For example, different to the previous dogmatic belief that religions would soon disappear in a new socialist society in Vietnam, in 1990 the Communist Party of Vietnam issued a resolution announcing reformist views and policies regarding religion. The resolution recognized three points: “religion is a long-standing issue”; “belief and religion are spiritual needs of a part of the people”; “religious ethics has many things suitable for the construction of a new society.” (Nguyễn Nguyễn Hồng 2018). These reformist views have facilitated the development of religion in general and Buddhism in particular.

Another internal factor concerns the political leaders’ discourse which recognizes the positive contribution of Buddhism to state-building and social and economic development in Vietnam. John Gillespie observes that “HỒ Chí Minh is credited with saying that the values underlying Buddhism and Christianity are fundamentally the same as the party’s objectives. According to this theory, the party should remain staunchly atheist, but acknowledge that in the transition to socialism, religion promotes social order and enriches lives” (2014, 143). More recently, President of State Nguyễn Xuân Phúc has said, “Over the past forty years, many Buddhist monks and nuns have made contributions and sacrifices for the revolution. The Buddhist Sangha has always been at the forefront of national unity.” (Nguyễn Phan 2021). Such political rhetoric indicates the positive view of the state toward Buddhism, which has constituted a necessary political condition for the development of the religion in Vietnam.

Apart from internal factors, the constitutional space for Buddhism in Vietnam has been animated by external factors beyond the Vietnamese context. Globalization has led the Vietnamese state to engage with international legal regimes, and sign major international human rights treaties. This international engagement has resulted in the party-state’s turn toward a universalist approach to religion, including Buddhism. As Gillespie points out, “Party leaders have developed a more cosmopolitan outlook and expanded their loyalties to include a wide range of religious beliefs and practices. A consensus is emerging that the party should recognize and promote religiosity in Vietnamese society” (2014, 141–42). This approach to internationalization enables the development of religions in general – and Buddhism in particular – in Vietnam.

As noted above, the constitutional framework of Vietnam places Buddhism under the state’s control. As Buddhism has enjoyed a significant place in Vietnamese culture and society, the socialist state has recognized the importance of turning it not into an enemy but a supporter of the state. The regulative constitutional space is, therefore, animated by both preventive and constructive political motivations. The preventive motivation is that the state needs to preclude Buddhism from becoming a force inimical to the socialist regime.

This preventive motivation may have been inspired by the Unified Buddhist Sangha of Vietnam’s continued opposition to the socialist regime. For example, in 2013, a leader of the UBSV issued a letter opposing the Vietnamese government’s

imprisonment of Cu Huy Ha Vu for his subversive actions, including his call to delete Article 4 of Vietnam's Constitution, which mandates the leadership of the Communist Party of Vietnam (Thich Vien Dinh 2013). One of the leaders of UBSV stated: "The United Buddhist Sangha of Vietnam has a clear goal of serving the nation and the dharma, not socialism" (Gia Minh 2015). The UBSV's goal is resistant to the BSV's goal and the Vietnamese socialist state's goal. The state, therefore, is motivated to prevent Buddhist groups from cooperating with dissidents who oppose the socialist regime.

The constructive motivation in the constitutional regulations of religion is that the state needs to mobilize social forces, including Buddhist followers, for state-building and socioeconomic development. As Buddhists are an important social force, the state needs their support for state-building and the implementation of state policy. This explains why Buddhists have been included in state institutions and involved in national affairs, for example, supporting state authority in the fight against the spread of the Covid-19 virus in Vietnam (Hỗ Phúc 2021).

13.4 CONCLUSION

This chapter has explored the multiple constitutional framework employed by the state to govern Buddhism in Vietnam. It has illustrated the elements and functioning of such a constitutional framework, consisting of the principles and rules in the formal Constitution, the small-c constitution or legislations, and the Buddhist constitution or Charter of the Buddhist Sangha of Vietnam. On the one hand, the constitutional framework facilitates the development of Vietnamese Buddhism due to the nature and role of Buddhism in Vietnamese history, to the state's reformist policy regarding religious freedom, and to the party-state's universal perspective on religious freedom. On the other hand, the state places Buddhism firmly under its control to ensure that it supports the Party and its programs of state-building and socioeconomic development.

To some extent, the Vietnamese case illustrates unique features compared to other countries in terms of the relationship between Buddhism and constitutional law. These peculiar aspects are mainly due to the presence of Vietnamese socialism, as in the case of the mimicry of the Vietnamese socialist political principals visible in the BSV Buddhist constitution, the BSV's replication of national socialist institutions in its organizational structure, and the general intimacy between Buddhism, Communist Party, and the Fatherland Front.

However, the Vietnamese case also reveals commonalities with the other Buddhist contexts analysed in this volume. One comparable aspect is the relation between Buddhism and constitutional design. A written constitution may not directly refer to Buddhism, but its general provisions on human rights, religious freedom, and the broader institutional setting will undoubtedly affect the practice of Buddhism. Another element that can be compared is the distinction between Buddhist

constitutionalism and the legal regulation of Buddhism. While the former concerns how Buddhist fundamental norms and principles hold state authorities accountable, the latter deals with how states use law to regulate Buddhism. A third dimension that can suggest similarities across national contexts is the presence of Buddhist constitutions, other examples of which can be found in this volume. The Charter of the Sangha of Vietnam provides a good example for the comparative study of constitution-like Buddhist texts, which in this case, draws heavily on the structure of state constitutions. What the analysis of the Vietnamese case in this chapter can suggest is that a comparative study of Buddhist constitutions needs to explore the *relational* similarities between Buddhist constitutions and state constitutions, which are echoed in similar content patterns in the guiding charters of both states and Buddhist groups. The exploration of these similarities may help to highlight the important interaction that takes place between Buddhist and state constitutional regimes.

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